

# Itemized Categories - Last 12 months

1/16/2009 through 1/15/2010 (Cash Basis)

1/15/2010

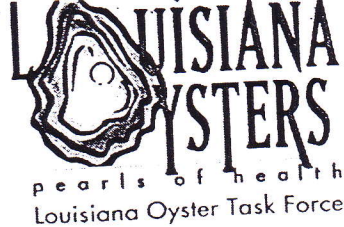
Date	Account	Description	Memo	Clr	Amount
					<b>-46,300.33</b>
					<b>EXPENSES</b>
					<b>A (SALARIES) ***OBJ 2100-2150</b>
					<b>Other A (SALARIES) ***OBJ 2100-2150</b>
7/31/2009	FY_10_...	SALARIES	YTD		-11,865.38
					-11,865.38
					-11,865.38
					-3,025.34
					-3,025.34
					-3,025.34
					-11,819.77
					-821.60
					-72.80
					-62.40
					-142.48
					-104.00
					-59.28
					-165.88
					-82.16
					-132.60
					<b>-10,998.17</b>
					<b>***2630*** BOARD MEMBERS</b>
8/31/2009	FY_10_...	BANK OF AMERICA	Airline Tickets (Al Sunseri & Wilbert) l...		-611.01
10/6/2009	FY_10_...	BANK OF AMERICA	Board member travel		-520.90
10/6/2009	FY_10_...	BANK OF AMERICA	Carlson Wag service fee		-24.00
10/15/2009	FY_10_...	BANK OF AMERICA	Airline Ticket/Al Sunseri/LA Alive(2010)		-453.20
10/20/2009	FY_10_...	BANK OF AMERICA	Board member travel		-386.20
10/20/2009	FY_10_...	BANK OF AMERICA	Carlson Wag service fee		-24.00
11/2/2009	FY_10_...	BANK OF AMERICA	Board travel to DC		-799.20
11/2/2009	FY_10_...	BANK OF AMERICA	Board member travel		-799.20
11/2/2009	FY_10_...	BANK OF AMERICA	Carlson Wag. Service Fee		-24.00
11/2/2009	FY_10_...	BANK OF AMERICA	Board member travel		-24.00
11/2/2009	FY_10_...	BANK OF AMERICA	Travel to DC		-1,005.20
12/10/2009	FY_10_...	BANK OF AMERICA	Carlson Wag service fee		-24.00
12/10/2009	FY_10_...	BANK OF AMERICA	Travel Expenses		-1,815.34
12/29/2009	FY_10_...	AL SUNSERI	Travel expense		-1,102.92
12/29/2009	FY_10_...	WILBERT COLLINS	Staff Travel to Washington DC		-344.20
1/13/2010	FY_10_...	BANK OF AMERICA	Travel Serv Fee		-24.00
1/13/2010	FY_10_...	BANK OF AMERICA	Board Travel to Washington DC - Mik...		-329.20
1/13/2010	FY_10_...	BANK OF AMERICA	Board Travel to Washington DC - Wil...		-329.20
1/13/2010	FY_10_...	BANK OF AMERICA	Travel Service Fee		-24.00
					<b>EXPENSES</b>
					<b>D (TRAVEL) OBJ 2500 -2690</b>
					<b>***2530*** BOARD MEMBER</b>
7/31/2009	FY_10_...	DANIEL COULON	Mileage Reimbursement		-72.80
7/31/2009	FY_10_...	JOHN TESVICH	Mileage Reimbursement		-62.40
8/31/2009	FY_10_...	RALPH PAUSINA	Mileage Reimbursement May - July 2009		-142.48
12/29/2009	FY_10_...	Daniel Coulon	Mileage Reimbursement		-104.00
12/29/2009	FY_10_...	JOHN TESVICH	Mileage Reimbursement		-59.28
12/29/2009	FY_10_...	RALPH PAUSINA	Mileage Reimbursement		-165.88
12/29/2009	FY_10_...	RALPH PAUSINA	Mileage Reimbursement		-82.16
12/29/2009	FY_10_...	Shane Bagala	Mileage reimbursement		-132.60
					<b>-10,998.17</b>

11/16/2009 through 1/15/2010 (Cash Basis)

1/15/2010

Date	Account	Description	Memo	Clr	Amount
1/13/2010	FY_10_...	BANK OF AMERICA	Travel Service Fee		-24.00
1/13/2010	FY_10_...	BANK OF AMERICA	Travel Service Fee		-24.00
1/13/2010	FY_10_...	BANK OF AMERICA	Travel Service Fee		-24.00
1/13/2010	FY_10_...	BANK OF AMERICA	Travel Service Fee		-24.00
1/13/2010	FY_10_...	BANK OF AMERICA	Travel Service Fee		-24.00
1/13/2010	FY_10_...	BANK OF AMERICA	Travel Service Fee		-24.00
1/13/2010	FY_10_...	BANK OF AMERICA	Travel Service Fee		-24.00
1/13/2010	FY_10_...	BANK OF AMERICA	Travel Service Fee		-24.00
1/13/2010	FY_10_...	BANK OF AMERICA	Travel Service Fee		-24.00
1/13/2010	FY_10_...	BANK OF AMERICA	Travel Service Fee		-24.00
1/13/2010	FY_10_...	BANK OF AMERICA	Travel Service Fee		-299.20
1/13/2010	FY_10_...	BANK OF AMERICA	Board Travel to Washington DC - Joh...		-299.20
1/13/2010	FY_10_...	BANK OF AMERICA	Board Travel to Washington DC - Bri...		-299.20
1/13/2010	FY_10_...	BANK OF AMERICA	Board Travel to Washington DC - Ed...		-299.20
1/13/2010	FY_10_...	BANK OF AMERICA	Board Travel to Washington DC - Luc...		-299.20
1/13/2010	FY_10_...	BANK OF AMERICA	Board Travel to Washington DC - Mel...		-299.20
1/13/2010	FY_10_...	BANK OF AMERICA	Board Travel to Washington DC -Mic...		-299.20
1/13/2010	FY_10_...	BANK OF AMERICA	Board Travel to Washington DC -Nor...		-7,614.84
<b>E (OPERATING SERVICES) OBJ 2700 - 3091</b>					<b>-114.84</b>
<b>***2710*** PRINTING</b>					<b>-114.84</b>
8/31/2009	FY_10_...	AL SUNSERI	Oyster Lease Moratorium Printing		-7,500.00
<b>***2870*** OTHER RENTALS</b>					<b>-7,500.00</b>
8/31/2009	FY_10_...	LA ALIVE	2010 BOOTH SPACE RENTAL		-1,975.00
<b>G (PROFESSIONAL SVCS.) RC 3400 - 3460</b>					<b>-1,975.00</b>
<b>***3460*** OTHER</b>					<b>-1,975.00</b>
7/31/2009	FY_10_...	DR. THOMAS SONIAT	SUMMER 2009 DERMO STUDY		-1,975.00
<b>H (OTHER CHARGES)</b>					<b>-10,000.00</b>
<b>***3650*** MISCELLANEOUS</b>					<b>-10,000.00</b>
8/31/2009	FY_10_...	LSU/Accounting Serv...	Perkinsus Marinus Evaluation/John S...		-5,000.00
9/30/2009	FY_10_...	LSU/Accounting Serv...	Perkinsus Marinus Evaluation/John S...		-5,000.00
<b>OVERALL TOTAL</b>					<b>-46,300.33</b>





December 29, 2009

Tom Bernard  
Louisiana Department of  
Natural Resources  
Office of Coastal Restoration and Management  
Coastal Engineering Division  
Field Engineering Section  
CERM Suite 309  
2045 Lakeshore Drive  
New Orleans, LA 70122

Dear Mr. Bernard,

During the past several months a number of oyster growers with oyster leases in upper Barataria Bay have addressed the Louisiana Oyster Task Force, (LOTF), regarding their concerns over losing crops due to overly fresh conditions caused by operating of the Davis Pond Freshwater diversion beyond the designated 5 Parts Per Thousand, (PPT), target isohaline line. The claims are that the salinities within Barataria Bay, and in the northern reaches of the bay, have been substantially lower than what they were the year before. According to the real-time recording sites (which are accessible on-line from the USGS website), sometimes the salinities have dropped to well below 5 PPT, at the Barataria Waterway/Bayou Cutler monitoring site, which is the target isohaline established by the Davis Pond Advisory Committee. Looking back at the data from the past few months have revealed that not only were they below the target at the selected sites, but in some cases, were well below the recommended PPT at stations four and five miles south of the two stations used to acquire an average. From all of the available information that we have, it is clear that the extremely low salinities recorded in Barataria Bay over the past few months have been directly attributable to the operations of the Davis Pond diversion.

All of the existing oyster leases in Barataria Basin are outside of the Davis Pond Diversion 5 PPT target isohaline line and should never be affected negatively if the diversion is operated properly. It's well understood that oysters cannot tolerate salinities under 5 ppt for very long, therefore, when salinities are below 5 PPT on the oyster leases, it's very clear that oystermen have valid reasons for being concerned about their crops. The LOTF is committed to supporting the Davis Pond Diversion project to control salinities in the Barataria basin as long as it follows the target isohalines of the Davis Pond management model.

2021 Lakeshore Drive, Suite 300  
New Orleans, LA 70122  
504.283.9893

  
www.LouisianaOysters.org



We ask if you would clarify the current management protocols for adjusting the diversion volumes, to meet target salinities. Also, are modeling programs being used that predict salinities in the outfall area based on diversion flow? Is it reasonable to expect that in the future, as more historical data is made available, that the ability to meet target salinities will get better?

We appreciate your attention to this matter, and look forward to working with you and others to help avoid economic losses in our industry. We remain dedicated to providing better communication and dependable information, which our oystermen can use in planning the management of their crops.

Sincerely,

Alfred R. Sunseri  
Chairman  
Louisiana Oyster Task Force

c.c. Mr. Scott Angelle, Secretary Department of Natural Resources  
Mr. Garret Graves, Director, Governor's Office of Coastal Activities  
Mr. Jerome Zeringue, Governor's Office of Coastal Activities  
Mr. Chuck Villarrubia, Coastal Resources Scientist, Department of Natural Resources  
Tomma Barnes, PH.D., Project Manager Restoration Branch

FISHING/OYSTERS:

AN ACT

1  
2 To enact R.S.56:437:, relative to; and to provide for related matters.

3 Be it enacted by the Legislature of Louisiana:

4 Section 1. R.S. 437 is hereby enacted to read as follows:

5 §437. Sale of raw oysters within the state

6 Oysters which have been harvested from Louisiana waters may be sold

7 within the state for raw consumption at all times during the year. Federal regulations

8 which may prohibit the interstate transportation and sale of oysters which have not

9 been post-harvest treated shall not apply to oysters harvested, sold, and consumed

10 within the state of Louisiana.

Regular Session, 2010

HOUSE BILL NO.

BY

FISHING/OYSTERS:

AN ACT

1  
2 To amend and reenact R.S. 56:435.1, relative to; and to provide for related matters.

3 Be it enacted by the Legislature of Louisiana:

4 Section 1. R.S. 56:435.1 is hereby amended and reenacted to read as follows:

5 §435.1. Sabine Lake; methods of harvest; penalty; season; self-propelled vessels;  
6 harvested oysters

7 ~~A. Oysters may be harvested in Sabine Lake~~ beginning the first Wednesday  
8 after Labor Day each year and may be harvested until March 31 of the immediately  
9 following calendar year. All laws contained in this Subpart which are applicable to  
10 the harvest of oysters shall be applicable to the harvest of oysters in Sabine Lake.  
11 ~~using tongs, a hand dredge, a single dredge with mechanical assist that has a tooth~~  
12 ~~bar no more than thirty-six inches long, or a single scraper with mechanical assist~~  
13 ~~with a flat bar length of no more than thirty-six inches.~~

14 ~~B. Repealed by Acts 1986, No. 904, §4.~~

15 ~~C. All vessels used for the commercial harvest of oysters on Sabine Lake~~  
16 ~~must be self-propelled. "Self-propelled" means, when used in this Section, that the~~  
17 ~~vessel shall travel under its own power to its harvest area and when loaded with~~

18 ~~tong, shall travel under its own power to the place where the oysters are unloaded.~~



1           ~~E. Repealed by Acts 1986, No. 904, §4.~~

2           ~~F. With the proper licenses, no more than twenty-five sacks of oysters per~~  
3 ~~boat per day may be harvested. However, the recreational taking of oysters shall be~~  
4 ~~as provided in R.S. 56:424(C).~~

5           ~~G. Open season dates and harvest limits shall be set by the commission after~~  
6 ~~consideration of recommendations by the Louisiana Oyster Task Force. In addition,~~  
7 ~~recreational fishermen may harvest oysters as provided in R.S. 56:424(C).~~

8           ~~H. Any violation of this Section shall be considered a class four violation~~  
9 ~~subject to the penalties contained in R.S. 56:34.~~

Regular Session, 2010

HOUSE BILL NO.

BY

FISHING/OYSTERS:

## AN ACT

1  
2 To amend and reenact R.S. 56:433(B)(1), relative to; and to provide for related matters.

3 Be it enacted by the Legislature of Louisiana:

4 Section 1. R.S. 56:433(B)(1) is hereby amended and reenacted to read as follows:

5 §433. Culling oysters taken from natural reefs; size limits

6 \* \* \*

7 B.(1) Under its supervision and direction, the department may permit lessees  
8 of oyster bedding grounds to fish oysters of any size, without charge, from the  
9 natural reefs of the waters of this state. Such oysters are to be used as seed oysters  
10 for bedding purposes only. The department may designate from which natural reefs  
11 oysters may be fished and the quantity to be taken therefrom by any lessee. The  
12 natural reefs may be fished for the harvest of ~~seed~~ oysters only each year starting the  
13 first Wednesday after Labor Day. ~~Beginning on the second Monday in October each~~  
14 ~~year, the seed grounds may be opened for the harvest of oysters for market sales in~~  
15 ~~addition to the harvest of seed oysters.~~ All harvest of oysters on the public seed  
16 grounds shall cease on April thirtieth of each year. However, the commission may  
17 extend the taking of oysters on natural reefs by setting the last day of the season if  
18 it is determined that sufficient quantities of oysters are available to accommodate



1 commission may designate what parts or portions of the natural reefs may be fished  
2 for oysters and it may suspend the fishing of oysters altogether from natural reefs not  
3 leased by it when such reefs are threatened with depletion as determined by the  
4 department. When designating those areas of the natural reefs that may be fished,  
5 the commission shall consider the recommendations of the Oyster Task Force.

\* \* \*

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### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB No.

### **Abstract:**

(Amends R.S. 56:433(B)(1))

HLS 10RS-

Regular Session, 2010

HOUSE BILL NO.

BY

FISHING/OYSTERS:

AN ACT

1

2 To amend and reenact R.S. 40:5.3.1, relative to; and to provide for related matters.

3 Be it enacted by the Legislature of Louisiana:

4 Section 1. R.S. 40:5.3.1 is hereby amended and reenacted to read as follows:

5 §5.3.1. Exemptions

6 The Department of Health and Hospitals, in consultation with the Department  
7 of Wildlife and Fisheries, may annually grant an exemption from the National  
8 Shellfish Sanitation Program's *Vibrio parahaemolyticus* and *Vibrio vulnificus*  
9 management plans to licensed oyster harvesters and certified oyster dealers if the  
10 licensed oyster harvester or the certified oyster dealer has not been epidemiologically  
11 linked to a *Vibrio parahaemolyticus* or *Vibrio vulnificus* oyster related illness. The  
12 Department of Health and Hospitals, office of public health, shall notify all licensed  
13 oyster harvesters and certified dealers of the provisions of this Section and notify  
14 such persons that they may apply to the Department of Health and Hospitals, office  
15 of public health, for such exemption.

Regular Session, 2010

HOUSE BILL NO.

BY

FISHING/OYSTERS:

AN ACT

1

2 To amend and reenact R.S. 56:303.4 and 303.7(B);, relative to; and to provide for related  
3 matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 56:303.4 and 303.7(B) are hereby amended and reenacted to read as  
6 follows:

7 §303.4. Commercial fisherman's sales receipt form

8 The commission shall develop, design, establish, adopt rules and regulations  
9 for, and implement, pursuant to the Administrative Procedure Act, a commercial  
10 receipt form to be used by wholesale/retail seafood dealers who purchase fish from  
11 commercial fishermen, soft shell crab sheddors, and fresh products licensees. In  
12 addition to information otherwise required by law, commercial fishermen,  
13 wholesale/retail seafood dealers, crab sheddors, and fresh product licensees shall  
14 provide such information as determined by the commission to be necessary to  
15 properly manage the fishery resource of the state, including information required by  
16 the commission to prepare stock assessments and other information required by the  
17 legislature. In the case of harvest of oysters, the rules shall provide that the  
18 commercial receipt form shall be filled out and submitted directly to the department  
19 by the harvester.

1           B. Whenever the holder of a commercial fisherman's license sells or transfers  
2 possession of his own catch to a wholesale/retail seafood dealer, he shall present the  
3 license to the dealer for license verification. The commercial fisherman shall  
4 provide the wholesale/retail seafood dealer with all information, as determined by  
5 the commission to be necessary to properly manage the fishery resources of the state,  
6 that is required to complete the commercial receipt form, which shall include but not  
7 be limited to the fisherman's first and last name, license number, signature, gear  
8 used, vessel used, primary location of where fish were caught, duration of trip, and  
9 permit numbers for species requiring a permit to harvest. The commercial fisherman  
10 shall sign each commercial receipt form attesting that the information provided  
11 therein is correct. However, in the case of the sale or transfer of oysters by a  
12 commercial harvester, the information required by the provisions of this Section and  
13 the commercial receipt form shall be submitted directly to the department by the  
14 harvester.

15                           \*       \*       \*



HLS 10RS-

Regular Session, 2010

HOUSE BILL NO.

BY

FISHING/OYSTERS:

AN ACT

- 1  
2 To repeal R.S. 56:431.1(D), relative to permits for devices to protect oysters from predation;  
3 to remove the date after which such permits may not be granted by the Department  
4 of Wildlife and Fisheries; and to provide for related matters.  
5 Be it enacted by the Legislature of Louisiana:  
6 Section 1. R.S. 56:431.1(D) is hereby repealed in its entirety.

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DIGEST

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HB No.

**Abstract:** Removes the sunset requirement on the program which allows the Dept. of Wildlife and Fisheries to grant permits for the use of permits to prevent predation on oyster leases.

Present law authorizes the Dept. of Wildlife and Fisheries to permit the use of devices to protect oysters on oyster leases. Provides for certain conditions and limitations on such permits. Requires the following:

- (1) An application fee of \$100 and the permit cost is \$50/acre not to exceed \$1,000.
- (2) The material used for the device not be monofilament or multifilament, not be a gill net, trammel net, or strike net nor entangle marine life and that it be approved by the Wildlife and Fisheries Commission and the House and Senate Natural Resources committees.

Limits permits to 100 acres in each of four areas of the coast – east of the Miss. River, between the Miss. River and Bayou Lafourche, between Bayou Lafourche and the Atchafalaya River, and west of the Atchafalaya River. The permit shall authorize use of the device only during March, April, October, and November. The permit shall also require that sufficient liability insurance be held by the leaseholder to cover any damages.

Sunsets the program on January 1, 2011.

Proposed law repeals the sunset provision.

(Repeals R.S. 56:431.1(D))

Regular Session, 2010

HOUSE BILL NO.

BY

FISHING/OYSTERS:

AN ACT

To amend and reenact R.S. 56:436, relative to; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:436 is hereby amended and reenacted to read as follows:

§436. Restricted time of taking oysters

A. ~~The~~ From November 1 through March 31 each year, taking of oysters from the natural reefs of this state and from privately ~~owned~~ leased bedding grounds between the hours of one-half hour after sunset and until one-half hour before sunrise is prohibited. During these hours all dredges shall be unshackled, disconnected, or in such condition as to be easily determined by an agent of the department not to have been in recent use.

B. In order to allow for the harvest of oysters during the cooler times of the day, from April 1 through October 31 of each year, oysters may be taken from the public seed grounds and from privately leased beds under a permit issued by the department. The commission shall promulgate rules and regulations under which such permits shall be issued.

C. Violation of any provision of this Section constitutes a class four

FISHING/OYSTERS:

AN ACT

1  
2 To amend and reenact R.S. 56:434(G) and to enact R.S.56:434(H), relative to taking of seed  
3 oysters from the public seed grounds; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 56:434(G) is hereby amended and reenacted and R.S.56:434(H) is  
6 hereby enacted to read as follows:

7 §434. Oyster seed grounds; designation and setting aside; rules and regulations  
8 concerning taking of seed oysters; areas recognized as oyster seed reservations;  
9 protection of oyster seed reservations

10 \* \* \*

11 G. During the "bedding only" portion of oyster season, additional restrictions  
12 shall apply to harvest of seed oysters from the public seed grounds as follows:

13 1) No oyster harvester shall have on board his vessel any sacks or containers  
14 which may be used to hold oysters.

15 2) All oysters on board a harvest vessel in the public seed grounds shall be  
16 presumed to have been harvested from the public seed ground.

17 3) No harvester shall sell oysters on the same day that he harvested seed  
18 oysters from the public seed grounds.

19 H. A violation of the provisions of this Section shall constitute a class two violation.